

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

In Re: RFC and ResCap Liquidating Trust Litigation  <i>This document relates to:</i>  ResCap Liquidating Trust v. Primary Residential Mortgage, Inc., No. 16-cv- 4070 (SRN/HB)	Case No. 13-cv-3451 (SRN/HB)  <b>SECOND ORDER ON TRIAL DEPOSITION DESIGNATIONS</b>
---	--

SUSAN RICHARD NELSON, United States District Judge

This matter comes before the Court on Plaintiff ResCap Liquidating Trust’s (“ResCap”) and Defendant Primary Residential Mortgage, Inc.’s (“PRMI”) request to admit various portions of deposition testimony from numerous witnesses—and accompanying exhibits—into the evidentiary record for the recently completed bench trial between the parties. This order is the second of two (*see* Doc. No. 5505 (Am. First Order on Dep. Designations)) and addresses the remaining witnesses and exhibits at issue. As set forth in detail below, the Court **GRANTS IN PART** and **DENIES IN PART** the parties’ requests. Exhibits offered in conjunction with deposition testimony are only referenced if they have not already been received into evidence.

<b><u>Witness:</u></b>	<b><u>Ruling:</u></b>
Frank Sillman	All objections to deposition designations are overruled.
Kathy Meadows	All objections to deposition designations are overruled.
Leigh Ann Richardson	All objections to deposition designations are overruled.
Bradford Cornell	All objections to deposition designations are overruled.

Yvonne Flitton	<p>All objections to deposition designations are overruled <i>except</i> the following, which are sustained:</p> <ul style="list-style-type: none"> <li>• 189:5–25</li> <li>• 190:1–25</li> <li>• 191:1–25</li> <li>• 192:1–25</li> <li>• 193:1</li> <li>• 195:5–25</li> <li>• 196:1–23</li> <li>• 197:16–25</li> <li>• 198:1–13</li> <li>• 273:1–25</li> <li>• 276:5–16</li> </ul> <p><u>Exhibits:</u></p> <ul style="list-style-type: none"> <li>• The following exhibits are <u>not</u> received into evidence: <ul style="list-style-type: none"> <li>○ DTX-023</li> </ul> </li> </ul>
Lori Zaloumis	<p>All objections to deposition designations are overruled <i>except</i> the following, which are sustained:</p> <ul style="list-style-type: none"> <li>• 37:15–25</li> <li>• 38:1–6, 20–25</li> <li>• 39:1–6, 11–25</li> <li>• 40:1–25</li> <li>• 41:1–25</li> <li>• 83:1–25</li> <li>• 84:1–25</li> <li>• 85:1–25</li> <li>• 86:1–25</li> <li>• 87:1–25</li> <li>• 88:1–15</li> <li>• 95:1–2, 20–25</li> <li>• 96:1–3, 11–25</li> <li>• 97:1–25</li> <li>• 98:1–25</li> <li>• 99:1–11</li> <li>• 103:11–25</li> <li>• 104:1–25</li> <li>• 105:1–25</li> <li>• 106:1–25</li> <li>• 107:1–25</li> <li>• 108:1–9, 23–25</li> </ul>

	<ul style="list-style-type: none"> <li>• 109:1–10, 17–21</li> <li>• 110:7–25</li> <li>• 111:1–25</li> <li>• 112:1–6</li> <li>• 113:24–25</li> <li>• 114:1–10, 19–25</li> <li>• 115:1–25</li> <li>• 116:1–25</li> <li>• 117:1–6, 9–14, 16</li> <li>• 159:1–6, 11–25</li> <li>• 160:1–23</li> <li>• 183:12–25</li> <li>• 184:1–25</li> <li>• 185:1–20</li> <li>• 186:20–25</li> <li>• 191:11–25</li> <li>• 192:1–24</li> <li>• 215:6–25</li> <li>• 216:1–20, 23–25</li> <li>• 232:2–5, 11–18, 21–25</li> <li>• 233:1–25</li> <li>• 234:1–25</li> <li>• 235:1–25</li> <li>• 236:1–25</li> <li>• 237:1–25</li> <li>• 238:1–25</li> <li>• 239:1–25</li> <li>• 240:1–11</li> <li>• 242:16–25</li> <li>• 243:1–25</li> <li>• 244:1, 9–25</li> <li>• 245:1–11</li> <li>• 253:20–25</li> <li>• 254:1–23</li> <li>• 255:1–12, 19–25</li> <li>• 256:1–3</li> <li>• 259:21–25</li> <li>• 260:1–25</li> <li>• 261:1–25</li> <li>• 262:1–11, 14–24</li> </ul>
--	---

	<p><u>Exhibits:</u></p> <ul style="list-style-type: none"> <li>• The following exhibits are <u>not</u> received into evidence: <ul style="list-style-type: none"> <li>○ DTX-162</li> <li>○ DTX-206</li> <li>○ DTX-207</li> <li>○ DTX-213</li> <li>○ DTX-223</li> <li>○ DTX-237</li> <li>○ DTX-246</li> <li>○ DTX-251</li> <li>○ DTX-264</li> <li>○ DTX-266</li> <li>○ DTX-267</li> <li>○ DTX-269</li> <li>○ DTX-286</li> <li>○ DTX-307</li> </ul> </li> </ul>
--	---

Finally, the Court notes that testimony that refers to bankruptcy related documents, such as declarations, affidavits, expert reports, proofs of claim and the like is received with the understanding, as expressed on a number of occasions by the Court, that it will not be considered for the truth of the matters asserted therein but rather for the limited purpose of identifying information available to the parties at the time of the Bankruptcy Settlements.

**IT IS SO ORDERED.**

Dated: April 6, 2020

s/Susan Richard Nelson  
Susan Richard Nelson  
United States District Judge